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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/707,926	11/08/2000	Graham Button	D/A0608	9618

7590 11/29/2004

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EXAMINER

IRSHADULLAH, M

ART UNIT PAPER NUMBER

3623

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/707,926

Applicant(s)

BUTTON ET AL.

Examiner

M. Irshadullah

Art Unit

3623

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 27 October 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 9-16.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

*Susanna M. Diaz*  
**SUSANNA M. DIAZ**  
**PRIMARY EXAMINER**

**AU 3623**

Continuation of 5. does NOT place the application in condition for allowance because: Lobiondo teaches, for instance elements a and b of claim 9: a) coupling a first set of print shops, a second set print shops, and a central repository via a network; the first set of print shops having one print shop and the second set of print shops having a plurality of print shops (Fig. 1 showing L1-L4, R1-R5 and 60 respectively representing "first set of printshops, second set of printshops and central repository". Cited 60 functioning as repository or central repository is indicated by: "information containing criteria, such as type of document, media format, size, completion time etc., col. 6, lines 22-27, storing in storage means in 60, col. 3, lines 37-41"), and any of L1-L4 representing claimed "printshop as the first set of printshop", and R1-R5 representing claimed "a number or plurality of second printshops in the second set); and in b) sending to the central repository a production schedule representative of at least one print shop in the second set of print shops with access controls that allow visibility of its production schedule to include the print shop in the first set of print shops; each production schedule sent by a print shop comprising data allowing a representation of the respective production schedule.

Lobiondo teaches:

sending to the central repository a production schedule representative of at least one print shop in the second set of print shops and each production schedule sent by a print shop comprising data allowing a representation of the respective production schedule (Col. 6, lines 22-41, wherein entering job together with criteria including media, format, size, number of copies, completion time etc., by a user at workstation 30 representing information or data {media, format, size, number of copies, completion time etc.} relative to "job or document printing or production schedule" of "one of or respective to a printing facility or printshop at a location (Col. 6, lines 22-25 recited with col. 3, lines 56-60), and the user at a location "sending or forwarding" said document printing or production schedule to print server or spooler 60 {repository} on the network 20. Moreover, cited workstation 30 at various local or remote locations, col. 3, lines 16-18 recited with lines 27-36, are connected to said server or spooler 60, and server or spooler functioning as storage or repository of information containing criteria, col. 3, lines 37-41, said job or document printing or production schedules belonging to any or at least one of printshop in said second set R1-R5, and said schedules "presenting or allowing representation of any of or respective to" said printshops R1-R5). Furthermore, above discussed data {media, format, size, number of copies, completion time etc.} relative to a job or document printing sent by a user to spooler 60 representing claimed "production schedule" as per recitation: "Each print shop 101-1 to 101-n forwarding data to the repository 103 representing production schedule of the print shop, Specification, page 6, lines 10-12".

Lobiondo does not teach:

{the production schedule sent by the second set of print shops} including or assigning access control allowing viewing second printshops' production schedules by the first printshop.

However, assigning an access code for controlling users' access to an information, such as claimed second printshops' production schedules by the first, is well known and practiced in the computer and networking arts. Orlick (US 2002/0049733 A1) was introduced to provide an evidence that "access codes for controlling different users' access to and display of information stored in a central device" is a well known practice in the computer and networking business arts: "Olick's claim 43, wherein administrator assigns different codes allowing requisite access to different members or users of the system, 43c and 43d, when the assigned access codes are entered by the respective users, their respective information from the device is displayed and users perform actions including viewing, 43e and 43f, and a user skilled in the arts would include the cited access codes into above discussed Lobiondo's document printing data or production schedule and achieve the claimed limitation". A reasonable motivation for combining the two references was provided.

Furthermore, Olick recites that "the system may be used for many other applications or fields {including Applicant's printshops, Examiner} for providing efficient scheduling system, page 2, para 0028, lines 5-7".

Finally, Applicant's arguments fail to consider the full teachings of the references applied in light of the knowledge generally available to those in the appropriate business art and the level of ordinary skill in the art.